

**SUPREME COURT MINUTES
MONDAY, AUGUST 5, 2002
SAN FRANCISCO, CALIFORNIA**

S090420

A084367 First Appellate District,
A084371 Division One

NAEGELE v. R.J. REYNOLDS TOBACCO CO.

Opinion filed: Judgment reversed and remanded

for consideration of plaintiff's appeal in light of our conclusions here and in the companion case of *Myers*.

Opinion by: Kennard, J

--- joined by George, C.J., Baxter, Chin, Brown JJ.

Concurring Opinion by: Brown, J

Concurring And Dissenting Opinion by: Werdegar, J.

--- joined by Moreno, J

S095213

MYERS v. PHILLIP MORRIS COMPANIES

Opinion filed

The Repeal Statute rescinding the tobacco companies' statutory immunity in certain product liability lawsuits contains no express retroactivity provision. Nor has the Legislature given any clear indication that it wanted the Repeal Statute to apply retroactively. Thus, the Immunity Statute continues to shield defendant tobacco companies in product liability actions but only for conduct they engaged in *during* the 10-year period when the Immunity Statute was in effect. The liability of tobacco companies based on their conduct outside the 10-year period of immunity is governed by general tort principles. We stress, however, that we are not here asked to decide, and do not decide, what liability, if any, defendants may have under those general tort principles.

Majority Opinion by Kennard, J.

--- joined by George, C. J., Baxter, Werdegar, Chin, Brown, JJ.

Dissenting Opinion by Moreno, J.

**SUPREME COURT MINUTES
MONDAY, AUGUST 5, 2002
SAN FRANCISCO, CALIFORNIA**

S016924

PEOPLE v. MICHAELS (KURT)

Time extended to consider modification or rehearing

To 10/16/2002, or the date upon which rehearing is either granted or denied, whichever occurs first.

S098552

C031921 Third Appellate District

PEOPLE v. WILLIAMS

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to and including October 20, 2002, or the date upon which rehearing is either granted or denied, whichever occurs first.

S108476B159669 Second Appellate District,
Division Three

SISE (ROY BRIAN) ON H.C.

Petition for review denied

S012279

PEOPLE v. LUCAS (DAVID A.)

Extension of time granted

To 10/1/2002 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S012944

PEOPLE v. RAMIREZ (RICHARD)

Extension of time granted

To 9/30/2002 to file respondent's brief. After that date, no further extension is contemplated. Extension is granted based upon representation of Deputy Attorney General Jeffrey B. Kahan that he anticipates filing that brief by 8/9/2002.

**SUPREME COURT MINUTES
MONDAY, AUGUST 5, 2002
SAN FRANCISCO, CALIFORNIA**

S040704

PEOPLE v. JOHNSEN (BRIAN D.)
Extension of time granted

To 10/1/2002 to file appellant's opening brief. After that date, only one further extension totaling 60 additional days will be granted. Extension is based on the representation of counsel Richard P. Stookey that he anticipates filing that brief by 12/1/2002.

S090684

BOLIN ON H.C.
Extension of time granted

To 9/4/2002 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only three further extensions totaling 92 additional days will be granted. Extension is granted based upon the representation of counsel Jolie Lipsig that she anticipates filing the reply by 12/5/2002.

S105600

A093450 First Appellate District,
Division Two

BORISSOFF v. TAYLOR & FAUST
Extension of time granted

Respondent's time to serve and file the answer brief on the merits is extended to and including September 13, 2002. No further extensions are contemplated

S018033

PEOPLE v. SNOW (PRENTICE)
Order filed

Appellant's application to file supplemental appellant's reply brief is granted. Appellant shall file a supplemental brief not to exceed five pages within 20 days of the date of this order. No extension of this period will be granted.

**SUPREME COURT MINUTES
MONDAY, AUGUST 5, 2002
SAN FRANCISCO, CALIFORNIA**

S049389

PEOPLE v. LENART (THOMAS H.)
Order filed

Appellant's application for relief from default
to file appellant's reply brief is granted.

S108770

MAYER v. DAVIS
Transferred to CA 3

A093572 First Appellate District
Division Two

PEOPLE v. LOUTZENHISER
Order filed.

The time for granting review on the court's
own motion is hereby extended to and
including September 12, 2002. (Cal. Rules of
Court, rule 28(a)(1).)

**SUPREME COURT MINUTES
MONDAY, AUGUST 5, 2002
SAN FRANCISCO, CALIFORNIA**

**SUPREME COURT CALENDAR
SAN FRANCISCO SESSION
SEPTEMBER 4 and 5, 2002**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom located at 350 McAllister Street, Fourth Floor, San Francisco, California, on September 4 and 5, 2002.

WEDNESDAY, SEPTEMBER 4, 2002 – 9:00 A.M.

S097445	Katzberg v. The Regents of the University of California
S094248	Degrassi v. Cook
S098266	Cadence Design Systems v. AVANT! Corporation <i>(George, C.J. and Werdegarr, J., not participating. Nott and Nares, JJ., assigned Justices Pro Tempore.)</i>

1:30 P.M.

S102530	Edelstein v. Fado
S098760	Smith v. Rae-Venter Law Group
S032736	People v. Maurice Boyette <i>(Automatic Appeal)</i>

THURSDAY, SEPTEMBER 5, 2002 – 9:00 A.M.

S091453	Jimenez v. Superior Court, County of San Diego; T.M. Cobb
S100809	Pavlovich v. Superior Court, County of San Diego; DVD Copy Control
S098007	Chambers v. Kay

1:30 P.M.

S094676	Cooley v. Superior Court, County of Los Angeles; Marentez
S099647	Construction Protective Services v. TIG Specialty Insurance

GEORGE

Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 18(c), California Rules of Court.